

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
Docket No. 2017-32-E

In re:)	
3109 Hwy. 25 S. L.L.C. d/b/a 25 Drive-In and)	
Tommy McCutcheon)	
)	
Complainant/Petitioner,)	PREFILED REBUTTAL
)	TESTIMONY OF
v.)	CAROLYN
)	MCCUTCHEON
Duke Energy Carolinas, LLC,)	
Defendant/Respondent.)	
_____)	

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Carolyn McCutcheon. My husband and I operate the Drive-In at 3109 Highway 25 South in Greenwood.

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. I want to discuss the handling of the complaint we filed with the Office of Regulatory Staff and our meeting with Tommy Fowler and Theo Lane on the evening of June 17th, 2015.

Q. WHAT DOCUMENTS HAVE YOU REVIEWED IN PREPARING THIS TESTIMONY?

A. I reviewed my husband's and Bob Calhoun's prefiled testimony, the testimony of April Sharpe of the Office of Regulatory Staff, and the testimony of Joel Lunsford, Tommy Fowler, and Theo Lane from Duke.

Q. DID YOU FILE A COMPLAINT WITH THE OFFICE OF REGULATORY STAFF?

A. I did. I called their office and spoke with Takishia Anderson. I called on June 16th, 2015. I know my husband's testimony says we filed it on June 17th, 2015 but after looking at the files it must have been on the 16th.

Q. WHY DID YOU FILE A COMPLAINT ON JUNE 16TH, 2015?

A. Because Mr. Lane and Mr. Fowler had told us that our power line needed to be “upgraded” and that as a result we’d lose our Greenwood rate. They said if we didn’t agree to this Duke would cut off our power. We didn’t want to lose the Greenwood rate and didn’t agree to any work being done that would result in the loss of the Greenwood rate.

Q. DID YOU EVER SPEAK TO APRIL SHARPE AT THE OFFICE OF REGULATORY STAFF?

A. Not that I recall. I recall speaking with Takishia Anderson.

Q. WHAT HAD MR. LANE AND MR. FOWLER TOLD YOU WOULD HAPPEN IF YOU WOULDN’T AGREE TO THE UPGRADE?

A. They told us they’d cut off our power.

Q. DID DUKE CUT OFF YOUR POWER?

A. Yes, on June 17th I checked the answering machine at the theater and it didn’t work. We went to the theater and found that the supply line from the power pole had been physically cut.

Q. DID YOU AND YOUR HUSBAND MEET WITH MR. FOWLER AND MR. LANE ON THE 17TH?

A. Yes. At around 5:30 pm Mr. Lane called on my husband’s cell and asked us to meet him at Duke Power’s local office at 6:00 pm.

Q. WHAT DID YOU DISCUSS?

A. The power disconnection and getting the power reconnected. Mr. Lane and Mr. Fowler said that they would not reconnect the power unless we agreed to an upgrade. They said if we agreed, we would lose the Greenwood rate. They said if we would not agree Duke would not reconnect the power.

Q. DID THEY ASK YOU TO SIGN A DOCUMENT?

A. While we were at the office Mr. Lane got on his computer and printed out a document saying that we had voluntarily agreed to this upgrade and that we would lose the Greenwood

rate.

Q. DID YOUR HUSBAND SIGN THE DOCUMENT?

A. Yes. We had discussed the matter that day. We felt we had no choice. However, we didn't think that by signing this agreement we would be dropping the Office of Regulatory Staff complaint. We signed it under duress.

Q. DID DUKE TURN THE POWER BACK ON?

A. They turned the power back on June 18th, 2015.

Q. DID YOU SPEAK TO ANYONE AT THE OFFICE OF REGULATORY STAFF AFTERWARDS?

A. Yes. On June 18th someone from the Office of Regulatory Staff called me to ask if the power was back on. I told her that the power was back on. I never said anything about the matter being resolved or if we were satisfied with the outcome. I thought the Office of Regulatory staff was still working on our complaint. On July 20th I called Takishia Anderson and asked about the status of our complaint. She told me that the matter had been resolved and that the case had been closed.

Q. DID YOU EVER TELL ANYONE AT THE OFFICE OF REGULATORY STAFF THAT THE MATTER HAD BEEN RESOLVED SATISFACTORILY?

A. No. We felt we were forced to sign the agreement or we wouldn't get power back. We never told the Office of Regulatory Staff that we were withdrawing our complaint or that the dispute had been resolved by an agreement.

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes, it does.